

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

S.L. BEAL,)
)
Petitioner,)
)
vs.) Case No. CIV-05-253-M
)
RON WARD, Director of the Oklahoma)
Department of Corrections, et al.,)
)
Respondents.)

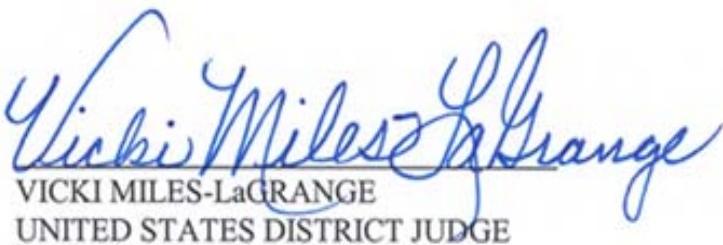
ORDER

On April 21, 2005, United States Magistrate Judge Gary M. Purcell issued a Report and Recommendation [docket no. 12] in this habeas action brought pursuant to 28 U.S.C. § 2241. Magistrate Judge Purcell recommends that Respondent Ron Ward's Motion to Dismiss Petition for Habeas Corpus for Failure to State a Claim Cognizable Under 28 U.S.C. § 2254 [docket no. 8] be denied. The parties were advised of their right to object to the Report and Recommendation by May 11, 2005. A review of the case file reveals that no objections have been filed.

The Court has carefully reviewed this matter de novo. The Court agrees with Magistrate Judge Purcell's Report and Recommendation in all respects. Accordingly, the Court:

- (1) ADOPTS the thorough and well-reasoned Report and Recommendation issued by Magistrate Judge Purcell on April 21, 2005, and
- (2) DENIES Respondent Ron Ward's Motion to Dismiss Petition for Habeas Corpus for Failure to State a Claim Cognizable Under 28 U.S.C. § 2254.

IT IS SO ORDERED this 1st day of June, 2005.



VICKI MILES-LAGRANGE
UNITED STATES DISTRICT JUDGE